

ORIGINAL



0000075681

BEFORE THE ARIZONA CORPORATION C

COMMISSIONERS

RECEIVED

Arizona Corporation Commission  
**DOCKETED**

AUG 03 2007

MIKE GLEASON – Chairman  
WILLIAM A. MUNDELL  
JEFF HATCH-MILLER  
KRISTIN K. MAYES  
GARY PIERCE

2007 AUG -3 P 1:46

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DOCKETED BY

NR

**IN THE MATTER OF THE APPLICATION  
OF AERIE CONSERVANCY, AN ARIZONA  
NONPROFIT CORPORATION, FOR  
ADJUDICATION THAT IT IS NOT A PUBLIC  
SERVICE CORPORATION**

**DOCKET NO. W-04291A-04-0843**

**COMPLIANCE FILING OF  
APPROVAL OF CONSTRUCTION**

In Decision 67881 (June 1, 2005), the Arizona Corporation Commission (“Commission”) ordered The Aerie Conservancy to file, within 24 months of the Decision date, documentation demonstrating its ownership of, and a copy of the Arizona Department of Environmental Quality (“ADEQ”) Approval of Construction (“AOC”) for: (i) the well, the 120,000-gallon storage tank and the booster pump comprising the backbone infrastructure for The Aerie; and (ii) the distribution infrastructure for lots 1-41 of The Aerie. *See* Decision 67881 at 11-12. On June 1, 2007, The Aerie Conservancy requested a 120-day extension of this compliance deadline. Administrative Law Judge Wolfe issued a procedural order ordering Commission Staff to respond to the extension request by July 16, 2007. In its Staff Report, Commission Staff did not oppose the extension request and recommended an extension until December 31, 2007. *See* Staff Report at 2 (July 16, 2007). The Commission has yet to rule on the extension request.

In compliance with Decision 67881, The Aerie Conservancy files a copy of the AOC for the well, storage tank, and booster pump, which was issued on July 13, 2007 by ADEQ. The Aerie Conservancy still needs the requested extension to file a copy of the AOC for the distribution infrastructure, which is currently under review by Yavapai County, and documentation demonstrating its ownership of the infrastructure.

DATED this 3rd day of August, 2007.

SNELL & WILMER



Jeffrey W. Crockett  
Marcie A. Shuman  
One Arizona Center  
400 East Van Buren  
Phoenix, Arizona 85004-2202  
Attorneys for The Aerie Conservancy

ORIGINAL and thirteen (13) copies  
filed with Docket Control this 3rd  
day of August, 2007.

COPY of the foregoing hand-delivered  
this 3rd day of August, 2007, to:

Christopher Kempley, Chief Counsel  
Legal Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007

Ernest G. Johnson, Director  
Utilities Division  
ARIZONA CORPORATION COMMISSION  
1200 West Washington Street  
Phoenix, Arizona 85007





**Cc: Shephard Wesnitzer Engineers, Sedona**